

North Carolina Brownfields Program
Redevelopment Now Option Pilot

Fee Consent Document

I, the undersigned, am the authorized agent of Neil Adamson w/ATCO ("Prospective Developer"), who the North Carolina Brownfields Program ("Program") has determined to be eligible to seek to engage in the brownfields process regarding a property and project that the Program has also determined to be eligible. *See* N.C.G.S. 130A-310.30, *et seq.* The property is known as the Rite Aid Site (Former Charlotte Army Missile Plant) site and is located at 1776 Statesville Road, Charlotte, Mecklenburg County, North Carolina. Prospective Developer is herewith paying a \$30,000.00 fee to the Program, by check payable to "DENR," in satisfaction of a Prospective Developer's obligations under N.C.G.S. 130A-310.39(a). Prospective Developer understands that payment of this fee entitles Prospective Developer to expedited Program review of technical documents and processing of a draft Brownfields Agreement and ancillary documents regarding the project in question. Prospective Developer further understands that payment of this fee in no way guarantees successful completion of the brownfields process regarding the project.

I understand that, pursuant to payment of the fees, the Program shall handle the subject project under the Program's expedited processing provisions, with appropriate staff resources, so long as Prospective Developer is engaging in the process in good faith and complying with the Program's procedures.

Should the Program determine that the resources required to complete the brownfields process in regard to the subject project ever exceed the fee set forth herein due to unforeseen technical, administrative, or regulatory complexities, the Program may (1) remove the project from the expedited processing program and return it to standard processing status, or (2) expend resources it deems reasonable seeking to negotiate an additional fee that the Program deems sufficient to complete the brownfields process in regard to the project.

Disclaimers:

- 1) The Program makes no promises or claims that payment of the subject fee will result in successful completion of the Brownfields process regarding this project.
- 2) Public comment shall be solicited pursuant to N.C.G.S. 130A-310.34, and may affect the outcome of the brownfields process regarding this project, including without limitation its timing and/or provisions/features of the Brownfields documents and plat.

Prospective Developer: ATCO-Investments Group LLC (ATCO)
Mailing Address: 555 Fifth Avenue - 16th Floor
New York, NY 10017

By (signature): 

June 27, 2016
Date

Name typed or printed: Neil Adamson
Title typed or printed: Authorized Signatory

